

# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	ATTORNEY DOCKET NO. CONFIRMATION NO.	
10/656,626	09/05/2003	Hiroshi Nakajima	4041J-000768	4041J-000768 8134	
27572	7590 05/28/2004		EXAM	INER	
HARNESS, 1 P.O. BOX 828	DICKEY & PIERCE, I	P.L.C.	GUTMAN,	HILARY L	
BLOOMFIELD HILLS, MI 48303			ART UNIT	PAPER NUMBER	
			3612		
		DATE MAILED: 05/28/2004			

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary  -The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHOATENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available used the provision of 37 CFR 1 136(s). In no event, however, may a reply be timely find used to the provision of 37 CFR 1 136(s). In no event, however, may a reply be timely find used to the provision of 37 CFR 1 136(s). In no event, however, may a reply be timely find used to the provision of 37 CFR 1 136(s). In no event, however, may a reply be timely find used to the provision of 37 CFR 1 136(s). In no event, however, may a reply be timely find used to the 30 (s) MONTHS from the realisting dated of this communication, and the state of		•	Application No.		Applicant(s)	
Hairy Outman   Sig12			10/656,626		NAKAJIMA, HIROSHI	
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Elementor of them rappe available under the provisione of 37 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 17 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 17 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 17 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 17 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 18 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 18 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 18 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 18 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 18 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 18 CFR 1.136(s). In no event, however, may a reply be timely filed them to communication of 18 CFR 1.136(s). In them to communication of 18 CFR 1.136(s). In 18 CFR 1.136(s).		Office Action Summary	Examiner		Art Unit	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE OF THIS COMMUNICATION.  Edetaclinac time may be available about the provision of 37 CFR 1 136(a). In no event, however, may a reply be firmely filed after SX (6) MONTHS from the mailing date of this communication.  If the princed reply seedled actives, the maintenant situatory period wall apply and will expire SIX (6) MONTHS from the mailing date of this communication.  If the princed reply seedled actives, the maintenant situatory period wall apply and will expire SIX (6) MONTHS from the mailing date of this communication after the maintenant situatory period wall apply and will expire SIX (6) MONTHS from the mailing date of this communication. Any reply received by the Cities liet then three maintenant after the mailing date of this communication, even if timely filed, may recline a situation of the maintenant situation and patent term substrained. See 37 CFR 1704(b).  Status  1) Responsive to communication(s) filed on 07 April 2004.  2a) This action is FINAL.  2b) This action is non-final.  3) Isince this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.8 is/are pending in the application.  4a) Of the above claim(s) 2 is/are withdrawn from consideration.  5) Claim(s) 1.2 and 4 is/are rejected.  7) Claim(s) 1.2 and 4 is/are rejected.  7) Claim(s) 1.2 and 4 is/are rejected.  7) Claim(s) 3 and 5-7 is/are objected to.  8) Claim(s) 1.2 and 4 is/are rejected.  10) The drawing(s) filed on 0.5 September 2003 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if t			Hilary Gutman		3612	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(s) FROM THE MAILING DATE OF THIS COMMUNICATION.  Eathersion of time may be waitable under the procrisions of 37 CFR 1.136(a). In no event, however, may a reply be limitly filed  Eathersion of time may be waitable under the procrision of 37 CFR 1.136(a). In no event, however, may a reply be limitly filed  If the period for reply special continuing date of this communication, reply within the statistical prior of this product of reply special control time), within the statistic prior of the period for reply special date, the maximum statistics prior of 18 (8) MONTHS to mit to making date of this communication, even ABANDONED (35 U.S. 0, 5 13), 26 (2	Dovind fo	The MAILING DATE of this communication app	ears on the cover	sheet with the co	orrespondence address -	
1) ⊠ Responsive to communication(s) filed on <i>07 April 2004</i> .  2a) ☐ This action is FINAL. 2b) ⊠ This action is non-final.  3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☑ Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) g is/are withdrawn from consideration.  5) ☐ Claim(s) 1-8 is/are allowed.  6) ☑ Claim(s) 1.2 and 4 is/are rejected.  7) ☑ Claim(s) 3 and 5-7 is/are objected to.  8) ☐ Claim(s) 3 and 5-7 is/are objected to.  8) ☐ Claim(s) 3 and 5-7 is/are objected to.  8) ☐ Claim(s) 3 and 5-7 is/are objected to by the Examiner.  Application Papers  9) ☒ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(c) 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☒ All b) ☐ Some * c) ☐ None of:  1. ☒ Certified copies of the priority documents have been received in Application No. ☐ a) ☒ All b) ☐ Some * c) ☐ None of:  1. ☒ Certified copies of the priority documents have been received in Application No. ☐ a) ☐ Copies of the certified copies of the priority documents have been received in Application No. ☐ application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **Itachment(s) ☐ Notice of International Date. ☐ Notice of International Date. ☐ Notice of International Date. ☐ Notice of International Da	A SHOTHE I  - Exter after  - If the  - If NO  - Failur  Any r	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. Insions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period we to reply within the set or extended period for reply will, by statute, eply received by the Office later than three months after the mailing	36(a). In no event, hower within the statutory mini will apply and will expire S cause the application to	ver, may a reply be time mum of thirty (30) days SIX (6) MONTHS from to become ABANDONED	ely filed will be considered timely. he mailing date of this communica	ation.
This action is FINAL. 2b) ☑ This action is non-final.  3 ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4 ☐ Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) 8 is/are withdrawn from consideration.  5 ☐ Claim(s) 1.2 and 4 is/are rejected.  7 ☐ Claim(s) 3 and 5-7 is/are objected to. 8 ☐ Claim(s) 3 and 5-7 is/are objected to. 8 ☐ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9 ☑ The specification is objected to by the Examiner.  10 ☑ The drawing(s) filed on 05 September 2003 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.  Application Papers  9 ☑ The specification is objected to by the Examiner.  110 ☑ The drawing(s) filed on 05 September 2003 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.  Application Papers  9 ☑ The specification is objected to by the Examiner.  110 ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12 ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☑ All b) ☐ Some * c) ☐ None of:  1. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No	Status					
2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)  1/2 is/are pending in the application. 4a) Of the above claim(s)  1/2 is/are withdrawn from consideration.  5)  Claim(s)  1/2 is/are allowed. 6)  Claim(s)  1/2 and 4 is/are rejected. 7)  Claim(s)  1/2 and 4 is/are rejected. 7)  Claim(s)  1/2 and 5/7 is/are objected to. 8)  Claim(s)  1/2 and 9 is/are objected to solve the Examiner.  4Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on  0/5 September 2003 is/are: a)  accepted or b) objected to by the Examiner.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The orath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c) None of:  1.  Certified copies of the priority documents have been received in Application No.  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.	1)⊠	Responsive to communication(s) filed on 07 Ar	oril 2004.			
Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☐ Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) 8 is/are withdrawn from consideration.  5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1.2 and 4 is/are rejected. 7) ☐ Claim(s) 3 and 5-7 is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on 05 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(c 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.				I.		
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)	3) 🗌				secution as to the merits	s is
A) Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) 8 is/are withdrawn from consideration.  5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) 3 and 5-7 is/are objected to. 8) Claim(s) 3 and 5-7 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on 05 September 2003 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(c)  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **Interview Summary (PTO-413) Paper No(s)/Mail Date  **Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152).  Coher:						
4)  Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) 8 is/are withdrawn from consideration.  5)  Claim(s) is/are allowed. 6)  Claim(s) is/are allowed. 7)  Claim(s) 3 and 5-7 is/are objected to. 8)  Claim(s) 3 and 5-7 is/are objected to. 8)  Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on 05 September 2003 is/are: a)  accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(c) 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **Itachment(s)**  Notice of Preferences Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  Notice of Informal Patent Application (PTO-152)  Paper No(s)/Mail Date			•	,		
9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on 05 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(c)  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No. ☐ .  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **Attachment(s)  D) ☐ Notice of References Cited (PTO-892)  D) ☐ Notice of Traftsperson's Patent Drawing Review (PTO-948)  D) ☐ Notice of Informal Patent Application (PTO-152)  Faper No(s)/Mail Date ☐ .  5) ☐ Notice of Informal Patent Application (PTO-152)  Faper No(s)/Mail Date ☐ .  10. Other: ☐ .	5)□ 6)⊠ 7)⊠	4a) Of the above claim(s) <u>8</u> is/are withdrawn fro Claim(s) is/are allowed. Claim(s) <u>1,2 and 4</u> is/are rejected. Claim(s) <u>3 and 5-7</u> is/are objected to.		nent.	·	
10) ☐ The drawing(s) filed on 05 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(c)  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.    Notice of References Cited (PTO-892)	Application	on Papers				
a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **Attachment(s)  Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date  Notice of Informal Patent Application (PTO-152)  Other:	10) 🖂 ¯	The drawing(s) filed on <u>05 September 2003</u> is/a Applicant may not request that any objection to the deplacement drawing sheet(s) including the correction of the oath or declaration is objected to by the Example.	re: a)⊠ accepted frawing(s) be held id on is required if the	n abeyance. See drawing(s) is obje	37 CFR 1.85(a). cted to. See 37 CFR 1.12	1(d).
Attachment(s)    Notice of References Cited (PTO-892)	12)⊠ <i>A</i> a)∑	Acknowledgment is made of a claim for foreign    All b) Some * c) None of:  1. Certified copies of the priority documents  2. Certified copies of the priority documents  3. Copies of the certified copies of the priori application from the International Bureau	have been received have been received ty documents have (PCT Rule 17.2(a	ved. ved in Application ve been received a)).	n No I in this National Stage	
FOL-326 (Rev. 1-04) Office Action Summary Part of Paper No./Mail Date	1) Notice 2) Notice 3) Inform Paper 5. Patent and Tra	of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948) ation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) No(s)/Mail Date	5)	aper No(s)/Mail Date otice of Informal Pat	ent Application (PTO-152)	

Art Unit: 3612

#### **DETAILED ACTION**

### **Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### Election/Restrictions

- 2. Applicant's election without traverse of Species A in a paper filed 4/7/04 is acknowledged.
- 3. Claim 8 is hereby withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made without traverse in a paper filed 4/7/04.

## Specification

4. The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference. The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. See *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); and *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).

Application/Control Number: 10/656,626

Art Unit: 3612

5. The disclosure is objected to because of the following informalities:

On page 5, line 9, "1d" should be deleted.

On page 7, line 21, "case 2c" should be "case 2a".

On page 8, line 3, "Since the" should be "The".

Appropriate correction is required.

## Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 7. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Figures 4A-4B of the well known prior art.

The well known prior art of Figures 4A and 4B disclose a connecting structure comprising: an air conditioning case 2a of an air conditioning unit 2, which is mounted on a vehicle, forming an air outlet port (as seen) through which air is discharged; and an air duct 13 for introducing the air from the air conditioning case to a passenger compartment (via port 1a) of the vehicle, the air duct 13 having a first end 13a connecting to an air blowing port 1a of an instrument panel 1 of the vehicle and a second end 13b connecting to the air outlet port of the air conditioning case 2a, wherein the second end 13b of the air duct 13 is engaged with the air conditioning case by mounting the instrument panel on the vehicle.

Application/Control Number: 10/656,626

Art Unit: 3612

# Claim Rejections - 35 USC § 103

- 8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 9. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over the well known prior art of Figures 4A-B as applied to claim 1 above, and further in view of Suzuki et al.

The well known prior art lacks the air conditioning case having a guide portion on the periphery of the air outlet port for directing the second end of the air duct.

Suzuki et al. (6,409,590) teach an air conditioning case 44 (Figures 14-15) having a guide portion 45 on the periphery of an air outlet port for directing an end of an air duct 10 onto the air conditioning case. Additionally, the guide portion and the air conditioning case are integrally formed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a guide portion as taught by Suzuki et al. around the periphery of the air outlet port of the air conditioning unit of the well known prior art (Figures 4A-4B) in order to guide the duct thereon and aid in assembling the connecting structure.

Note that it has been held that the term "integral" is sufficiently broad to embrace constructions united by such means as fastening and welding.

Application/Control Number: 10/656,626

Art Unit: 3612

# Allowable Subject Matter

Page 5

10. Claims 3 and 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### Conclusion

- 11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hilary Gutman whose telephone number is 703-305-0496.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 703-308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

13. Any response to this action should be mailed to:

**Assistant Commissioner for Patents** 

Art Unit: 3612

Washington, D.C. 20231

or faxed to:

(703) 872-9326, (for formal communications intended for entry)

or:

(703) 746-3515, (for informal or draft communications, please clearly label "PROPOSED" or "DRAFT").

Hilary Gutman 3612

5720101